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ELECTRONICALLY FILED
DATE FILED: 6/20/08

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*Defendants are free to
make whatever motion they
refuse been appropriate under the
circumstances.*
6/20/08

June 20, 2008

VIA FACSIMILE

Hon. Michael H. Dolinger
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1670
New York, NY 10007

Re: Steve Yu v. New York City Housing Development
Corporation and Pellegrino Mariconda
Civ. Action No.: 07 Civ. 5541(GBD)(MHD)

Dear Judge Dolinger:

We represent Defendants New York City Housing Development Corporation ("HDC") and Pellegrino Mariconda ("Mr. Mariconda") in the above-referenced matter. We write to advise the Court that the pro se Plaintiff, Steve Yu, has failed to comply with Your Honor's directives set forth in the May 19, 2008 Order regarding the production of documents and information. Plaintiff has not provided same by June 19, 2008, as required by Your Honor's June 12, 2008 Order.

We respectfully request that defendants be given the opportunity, upon written or oral application, to move this Court for dismissal of this action based on Plaintiff's willful disregard of discovery requirements and this Court's Orders. See Kalish v. City of New York, No. 99 Civ. 5895, 2003 WL 1618545 (S.D.N.Y. March 27, 2003) (dismissing an action filed by a pro se Plaintiff who willfully disregarded discovery requirements and court orders, even though he had numerous opportunities to cure the defaults).

Respectfully Submitted,

Dean L. Silverberg
Dean L. Silverberg

cc: Mr. Steve Yu, Pro Se Plaintiff (via e-mail)

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